

Notice of Allowability

Application No.

09/665,919

Examiner

Richard C. Weisberger

Applicant(s)

DILIP ET AL.

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3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Examiner's Amendment.
2. ☒ The allowed claim(s) is/are 76 and 90-96.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Barbara Courtney on September 24, 2007.

IN THE CLAIMS

Cancel claims 84,85, and 86.

76. (Currently amended) A method for executing a funds transfer in response to a user input, the method comprising:

receiving an electronic funds transfer request from the user comprising an identification of a source account, an identification of a destination account, and a transfer amount;

in a first transaction, a third-party financial management system executing a debit transaction with from the source account at a first financial institution, comprising withdrawing funds from a first account the source account, wherein the source account is owned by the user at the first financial institution, the third-party system having no financial relationship with the user; and the third-party system depositing the funds from the debit transaction in an intermediate account, wherein the intermediate account is not owned by the user holding the funds from the debit transaction in an intermediate account owned by the third-party system; and

in a second transaction, the third-party system executing a debit transaction comprising withdrawing the funds from the intermediate account, and credit transaction with a second financial institution, comprising depositing the funds in a second account owned by the user at the second financial institution, wherein the amount of funds deposited equals the transfer amount.

84. (Cancelled) A financial management system, comprising,
at least one interface coupling the financial management system with a plurality of financial institutions; and

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at least one user interface for receiving user input to initiate financial transactions, the user input comprising an identification of a source account, an identification of a destination account, and a transfer amount, wherein in response to user input, the financial management system is configured to,

communicate with a first one of the plurality of financial institutions to execute a debit transaction, comprising withdrawing funds from ~~a first account~~ the source account, which is owned by the user at the first financial institution;

execute a credit transaction comprising depositing~~hold~~ the funds from the debit transaction in an intermediate account, wherein the intermediate account is owned by the financial management system and not owned by the user; and

execute a debit transaction to withdraw the funds from the intermediate account, and communicate with a second one of the plurality of financial institutions to execute a credit transaction comprising depositing the funds in ~~the destination~~~~a second~~ account, which is owned by the user at the second financial institution, wherein the amount of funds deposited equals the transfer amount.

85. (Cancelled) The system of claim 84, wherein the at least one interface is coupled to at least one of a group selected from:

at least one of the plurality of financial institutions directly;

a payment processor that is coupled to at least one of the plurality of financial institutions directly; and

at least one payment network.

86. (Cancelled) The system of claim 85, wherein the at least one payment network comprises:

one payment network with which the financial management system communicates to execute a debit portion of the financial transaction; and

another payment network with which the financial management system communicates to execute a credit portion of the financial transaction.

90. (New) The method of claim 76, wherein the funds are withdrawn from the source account via a first payment network, and the funds are deposited in the second account via a second payment network.

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91. (New) The method of claim 76, wherein the funds are withdrawn from the source account via an automated clearing house (ACH) network, and the funds are deposited in the second account via an ACH network.

92. (New) The method of claim 76, wherein the funds are withdrawn from the source account via a capitalized EFT network comprising a NYCE network and a STAR network.

93. (New) The method of claim 76, wherein the funds are deposited into the second account via a capitalized EFT network comprising a NYCE network and a STAR network.

94. (New) The method of claim 76, wherein the funds are deposited in the second account via a wire transfer.

95. (New) The method of claim 76, wherein the withdrawal of funds from the source account comprises a loan from the source account.

96. (New) The method of claim 76, further comprising opening the second account, and wherein depositing the funds in the second account comprises initially funding the second account.

Support in the specification for the claim amendments

Support for the amendments to claims 76 and 84 can be found in Figures 16-19 and on pages 36-38 (reproduced below).

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The fund transfer instruction can be divided into two separate transactions: a debit instruction (for the account from which the funds are to be withdrawn) and a credit instruction (for the account to which the funds are to be deposited). The debit instruction and the credit instruction are communicated to a payment processor (block 592). The payment processor initiates the requested debit and credit transactions through an intermediate financial institution (e.g., financial institution 578 in Fig. 16) that is coupled to the payment network (block 594). The debit transaction and/or the credit transaction can be performed in real-time or deferred. The debit transaction is received and executed by the appropriate financial institution (block 596) and the credit transaction is received and executed by the appropriate financial institution (block 598).

Pages 37-38

In this example, the transfer instruction is separated into two different transactions: a first transaction that withdraws the appropriate funds from an account at one financial institution and a second transaction that deposits those funds into an account at the second financial institution. Although two different transactions occur, the fund transfer appears as a single transaction to the user or account holder.

The environment shown in Fig. 18 may be referred to as a “hub-and-spoke” arrangement in which financial management system 632 is the “hub”, and financial institutions 622 and 624 each represent a “spoke”. In alternate embodiments, the environment in Fig. 18 can be expanded to include any number of

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spokes coupled to any number of financial institutions via any number of payment networks. This configuration allows financial management system 632 to control the execution of transactions between any of the financial institutions.

Allowable Subject Matter

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The reason for allowance are the explicit steps of a first transaction where a third-party financial management system executes a debit transaction from a source account at a first financial institution, this step requires the source account is owned by the user and where the third-party system has no financial relationship with the user, and where the funds are irreversibly deposited from the debit transaction in an intermediate account not owned by the user and in a second transaction, the third-party system executes a debit transaction comprising withdrawing the funds from the intermediate account, and depositing the funds in a second account owned by the same initial user at the second financial institution, wherein the amount of funds deposited equals the transfer amount.

Prior art methods of transferring funds from one account to a second commonly owned account do not include two debit/credit transactions. These prior art transactions do not involve intermediate accounts, and involve one debit (or withdrawal) and one credit (or deposit).

The distinguishing limitation as described above is included in independent claim 76 . The dependent claims, including new claims 90-95 (which depend from claim 76) include further limitations on the allowable independent claims and are thus similarly allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard C. Weisberger whose telephone number is 571 272 6753. The examiner can normally be reached on 6:30 AM to 10:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Kramer can be reached on 571 272 6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Richard C Weisberger
Primary Examiner
Art Unit 3693

/WEISBERGER RICHARD/
PRIMARY EXAMINER
ART UNIT 3693